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REMARKS

In the Office Action, the Examiner rejected claims 1-9 and 35 pursuant to 35 U.S.C. § 101 as being unpatentable due to non-statutory subject matter. Claims 10 and 11 were allowed. Applicants respectfully request reconsideration of the rejections of claims 1-9 and 35, including independent claims 1, 8 and 35.

Independent claim 1 recites generating a three-dimensional representation. Independent claims 8 and 35 recite generating an image.

The Examiner notes that signal processing does not in and of itself result in physical transformation of an article or physical object. Accepting, acting on, and producing a processed signal is alleged not to provide a useful, concrete, and tangible result flowing inherently from the claim. The Examiner notes the result as useful, but alleges the result is a non-concrete and non-tangible abstraction.

The result of claim 1 is a three-dimensional representation. The results of claim 8 and 35 are images. The representation and images are concrete and tangible. A person may view them for diagnosis, where the images show scanned tissue or fluids. While turning off a monitor may result in the images being gone, the images generated, when existing as recited in the claims, are concrete and tangible. They are more than mere data and data processing. Images may be seen, and the user can interact with images. The images are representation provide a useful, tangible, and concrete result.

The dependent claims 2-7 are allowable for the same reasons as the independent claims from which they depend.

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CONCLUSION:

Applicants respectfully submit that all of the pending claims are in condition for allowance and seeks early allowance thereof. If for any reason, the Examiner is unable to allow the application but believes that an interview would be helpful to resolve any issues, he is respectfully requested to call the undersigned at (650) 694-5810 or Craig Summerfield at (312) 321-4726.

PLEASE MAIL CORRESPONDENCE TO: Respectfully submitted,

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